

Message

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**From:** Siegal, Tod [Siegal.Tod@epa.gov]  
**Sent:** 7/10/2020 11:44:17 PM  
**To:** Byrne, Andrew [Byrne.Andrew@epa.gov]; Binder, Jonathan [Binder.Jonathan@epa.gov]  
**Subject:** RE: Comments

**Ex. 5 Deliberative Process (DP)**

Tod Siegal  
U.S. EPA, Office of General Counsel  
Cross-Cutting Issues Law Office  
202-564-5552

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**From:** Byrne, Andrew <Byrne.Andrew@epa.gov>  
**Sent:** Friday, July 10, 2020 4:04 PM  
**To:** Binder, Jonathan <Binder.Jonathan@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>  
**Subject:** RE: Comments

Works for me.

**Andy Byrne**  
American Indian Environmental Office  
Office of International and Tribal Affairs  
U.S. Environmental Protection Agency  
(202) 564-3836 (desk)  
(202) 322-8607 (mobile)

Creating Tangible Environmental Results with Tribes  
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**From:** Binder, Jonathan <Binder.Jonathan@epa.gov>  
**Sent:** Friday, July 10, 2020 3:55 PM  
**To:** Siegal, Tod <Siegal.Tod@epa.gov>; Byrne, Andrew <Byrne.Andrew@epa.gov>  
**Subject:** RE: Comments

**Ex. 5 Deliberative Process (DP)**

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**From:** Siegal, Tod <Siegal.Tod@epa.gov>  
**Sent:** Friday, July 10, 2020 3:30 PM  
**To:** Byrne, Andrew <Byrne.Andrew@epa.gov>; Binder, Jonathan <Binder.Jonathan@epa.gov>  
**Subject:** RE: Comments

If only... Now comes the SAFETEA aspect...

Tod Siegal  
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**From:** Byrne, Andrew <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)>  
**Sent:** Friday, July 10, 2020 3:27 PM  
**To:** Siegal, Tod <[Siegal.Tod@epa.gov](mailto:Siegal.Tod@epa.gov)>; Binder, Jonathan <[Binder.Jonathan@epa.gov](mailto:Binder.Jonathan@epa.gov)>  
**Subject:** RE: Comments

Uh... McGirt was decided yesterday Tod. It's over.

**Andy Byrne**

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**From:** Siegal, Tod <[Siegal.Tod@epa.gov](mailto:Siegal.Tod@epa.gov)>  
**Sent:** Friday, July 10, 2020 3:27 PM  
**To:** Binder, Jonathan <[Binder.Jonathan@epa.gov](mailto:Binder.Jonathan@epa.gov)>; Byrne, Andrew <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)>  
**Subject:** RE: Comments

I'm buried in McGirt and FMC today. Won't be able to focus on this until the weekend. Sorry.

Tod Siegal  
U.S. EPA, Office of General Counsel  
Cross-Cutting Issues Law Office  
202-564-5552

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**From:** Binder, Jonathan <[Binder.Jonathan@epa.gov](mailto:Binder.Jonathan@epa.gov)>  
**Sent:** Friday, July 10, 2020 3:25 PM  
**To:** Byrne, Andrew <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)>; Siegal, Tod <[Siegal.Tod@epa.gov](mailto:Siegal.Tod@epa.gov)>  
**Subject:** RE: Comments

Thanks. Tod, any thoughts? This will go in the section entitled Significant/Precedential Issues of Federal Environmental Law or Federal Indian Law. Of course, I could push back and say that we haven't include this before. That might be a better approach. Thoughts?

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**From:** Byrne, Andrew <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)>  
**Sent:** Friday, July 10, 2020 3:15 PM  
**To:** Binder, Jonathan <[Binder.Jonathan@epa.gov](mailto:Binder.Jonathan@epa.gov)>; Siegal, Tod <[Siegal.Tod@epa.gov](mailto:Siegal.Tod@epa.gov)>  
**Subject:** RE: Comments

## Ex. 5 Deliberative Process (DP)

**Andy Byrne**

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**From:** Binder, Jonathan <[Binder.Jonathan@epa.gov](mailto:Binder.Jonathan@epa.gov)>  
**Sent:** Friday, July 10, 2020 2:56 PM  
**To:** Siegal, Tod <[Siegal.Tod@epa.gov](mailto:Siegal.Tod@epa.gov)>; Byrne, Andrew <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)>  
**Subject:** Comments

# Ex. 5 Deliberative Process (DP)

Thanks